

matters in both State and Federal courts, including the Third Circuit. He has represented a diverse set of clients, including the New York Times and Pennsylvania's former Democratic Governor Ed Rendell.

Prior to joining Buchanan Ingersoll, Mr. Porter served for 2 years as a law clerk for current Chief Judge D. Brooks Smith of the U.S. Court of Appeals for the Third Circuit, while he was serving as a U.S. District Judge for the Western District of Pennsylvania. In addition to his law firm practice, Mr. Porter has served in numerous professional service and other organizations. For example, he has been a leader in the Allegheny County Bar Association. His peers elected him to serve as the chair of two of that association's preeminent sections: the Federal court section and the civil litigation section. He also served on the Pennsylvania State Advisory Committee of the U.S. Commission on Civil Rights.

During his distinguished legal career, Mr. Porter has developed an outstanding reputation for professionalism, fairness, and integrity. His nomination is supported by a diverse group of attorneys and organizations, including the Pittsburgh firefighters union—IAFF Local No. 1—the current president and a past president of the National Organization of Black Law Enforcement Executives, and the president of the Pittsburgh Steelers.

Mr. Porter has all the essential qualities needed to excel as a Federal judge: experience, intelligence, integrity, and respect for the limited role of the judiciary in our constitutional system. I am pleased to support this highly qualified nominee and urge my colleagues to do the same.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of David James Porter, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

Mr. ENZI. Mr. President, I yield back all time.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

All time is yielded back.

The question is, Will the Senate advise and consent to the Porter nomination?

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from New Mexico (Mr. HEINRICH), the Senator from North Dakota (Ms. HEITKAMP), and the Senator from Florida (Mr. NELSON) are necessarily absent.

The PRESIDING OFFICER (Mr. KENNEDY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 45, as follows:

[Rollcall Vote No. 231 Ex.]

#### YEAS—50

Alexander	Flake	Murkowski
Barrasso	Gardner	Paul
Blunt	Graham	Perdue
Boozman	Grassley	Portman
Burr	Hatch	Risch
Capito	Heller	Roberts
Cassidy	Hoeven	Rounds
Collins	Hyde-Smith	Sasse
Corker	Inhofe	Scott
Cornyn	Isakson	Shelby
Cotton	Johnson	Sullivan
Crapo	Kennedy	Thune
Cruz	Kyl	Tillis
Daines	Lankford	Toomey
Enzi	Lee	Wicker
Ernst	McConnell	Young
Fischer	Moran	

#### NAYS—45

Baldwin	Harris	Peters
Bennet	Hassan	Reed
Blumenthal	Hirono	Sanders
Booker	Jones	Schatz
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall
Cortez Masto	McCaskill	Van Hollen
Donnelly	Menendez	Warner
Duckworth	Merkley	Warren
Durbin	Murphy	Whitehouse
Gillibrand	Murray	Wyden

#### NOT VOTING—5

Feinstein	Heitkamp	Rubio
Heinrich	Nelson	

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the votes in this series be 10 minutes in length.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. I yield back all time.

The PRESIDING OFFICER. Without objection, it is so ordered.

### EXECUTIVE CALENDAR

The clerk will report the next nomination.

The assistant bill clerk read the nomination of Ryan Douglas Nelson, of Idaho, to be United States Circuit Judge for the Ninth Circuit.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Nelson nomination?

Mr. WICKER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from New Mexico (Mr. HEINRICH), the Senator from North Dakota (Ms. HEITKAMP), and the Senator from Florida (Mr. NELSON) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 44, as follows:

[Rollcall Vote No. 232 Ex.]

#### YEAS—51

Alexander	Flake	Moran
Barrasso	Gardner	Murkowski
Blunt	Graham	Paul
Boozman	Grassley	Perdue
Burr	Hatch	Portman
Capito	Heller	Risch
Cassidy	Hoeven	Roberts
Collins	Hyde-Smith	Rounds
Corker	Inhofe	Sasse
Cornyn	Isakson	Scott
Cotton	Johnson	Shelby
Crapo	Jones	Sullivan
Cruz	Kennedy	Thune
Daines	Kyl	Tillis
Enzi	Lankford	Toomey
Ernst	Lee	Wicker
Fischer	McConnell	Young

#### NAYS—44

Baldwin	Harris	Reed
Bennet	Hassan	Sanders
Blumenthal	Hirono	Schatz
Booker	Kaine	Schumer
Brown	King	Shaheen
Cantwell	Klobuchar	Smith
Cardin	Leahy	Stabenow
Carper	Manchin	Tester
Casey	Markey	Udall
Coons	McCaskill	Van Hollen
Cortez Masto	Menendez	Warner
Donnelly	Merkley	Warren
Duckworth	Murphy	Whitehouse
Durbin	Murray	Wyden
Gillibrand	Peters	

#### NOT VOTING—5

Feinstein	Heitkamp	Rubio
Heinrich	Nelson	

The nomination was confirmed.

### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The assistant bill clerk read the nomination of Richard J. Sullivan, of New York, to be United States Circuit Judge for the Second Circuit.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Sullivan nomination?

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from New Mexico (Mr. HEINRICH), the Senator from North